

IDAHO BOARD OF CHIROPRACTIC PHYSICIANS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 9/24/2021

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BOARD MEMBERS PRESENT: Craig J Manning, D.C. - Chair
Cathy Hart
Lynn A Hansen, D.C.
Shannon Gaertner-Ewing, D.C.

DIVISION STAFF: Anne Lawler, Bureau Chief
Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Eric Nelson, Board Prosecutor
Cesley Metcalfe, Team Lead
Allegra Earl, Board Specialist

OTHERS PRESENT: Lisa Kouzes, FCLB District I Director

The meeting was called to order at 8:01 AM MDT by Craig J Manning, D.C.

APPROVAL OF MINUTES

Dr. Gaertner-Ewing made a motion to approve the minutes of 6/25/2021 and 7/26/2021. It was seconded by Ms. Hart. Motion carried.

LAWS AND RULES

Mr. Krema presented a legislative update. He stated that three (3) pieces of legislation passed the Legislature and were signed by the Governor to consolidate several self-governing regulatory Boards under the umbrella of the Division.

Mr. Krema also told the Board that while the Legislature did not adjourn sine die, the administrator was given the authority during the session to make the rules effective. He stated that there was no lapse in the rules being effective and that its temporary rules became effective July 1, 2021.

DIVISION UPDATE

Ms. Lawler informed the Board that the Division continues to work on reorganizing staff and resources to create greater efficiencies for the 48 boards that are now part of the three Bureaus under the Division umbrella. She also stated that Boards will continue to hold meetings virtually due to the current health and safety concerns in Idaho, and that the Division should be moving into its permanent office next summer.

DIVISION BUSINESS

The Board reviewed the To Do List and no action was taken.

DISCUSSION ON FREQUENCY OF MEETINGS

Ms. Lawler stated that the Division would like the Board to consider meeting quarterly. She said that less frequent meetings create financial efficiencies and time management efficiencies for staff and Board members. Ms. Lawler also informed the Board that meetings must be at least three (3) hours for Board members to earn the honorarium to which they are entitled.

NEXT MEETING was scheduled for January 28, 2022 at 8:00 AM MST.

CORRESPONDENCE

The Board reviewed correspondence from Dr. Lindsey Doan regarding the requirements for a licensee to return their license to an active status after over five years on inactive status. The Board directed the Division to respond with a letter stating that it is unable to determine the specific requirements without an application to return to active status.

FEDERATION OF CHIROPRACTIC LICENSING BOARDS MEMBERSHIP

The Board discussed its membership of the Federation of Chiropractic Licensing Boards (FCLB). The topic was tabled until the next Board meeting.

APPLICATION APPROVAL PROCESS

Ms. Lawler discussed Board governance versus Board operations in relation to documents for Board review. She stated that the goal is to have the Board govern and the Division staff manage the administrative work of licensing. After some discussion, the Board took no action.

CONTINUING EDUCATION AUDIT DEFICIENCIES

A draft letter was presented to the Board that would allow licensees 30 days to make up continuing education audit deficiencies. Dr. Hansen made a motion to adopt the use of the proposed letter allowing a 30-day grace period from the date of notification

to make up continuing education audit deficiencies. It was seconded by Ms. Hart. Motion carried.

FINANCIAL REPORT

Ms. Eavenson gave the financial report, which indicated that the Board had a cash balance of \$2,815.09 as of 6/30/2021.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

EXECUTIVE SESSION

Ms. Hart made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Dr. Gaertner-Ewing. The vote was: Dr. Manning, aye; Dr. Gaertner-Ewing, aye; Dr. Hansen, aye; and Ms. Hart, aye. Motion carried.

Dr. Hansen made a motion to come out of executive session. It was seconded by Ms. Hart. Motion carried.

DISCIPLINE

Ms. Hart made a motion to close case number I-CHI-2021-3. It was seconded by Dr. Hansen. It was seconded by Dr. Hansen. Ms. Hart amended the motion to close case number I-CHI-2021-3; to close case number I-CHI-2022-2 with a warning letter; to approve the Consent Order in case CHI-2019-4 and allow the Board chair to sign on behalf of the Board; to close CEU Settlement case number CHI-2021-4 with no action; and to release the licensee from probation in case number CHI-2016-4. Dr. Hansen concurred. Motion carried.

EXECUTIVE SESSION

Ms. Hart made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Dr. Gaertner-Ewing. The vote was: Dr. Manning, aye; Dr. Gaertner-Ewing, aye; Dr. Hansen, aye; and Ms. Hart, aye. Motion carried.

Dr. Gaertner-Ewing made a motion to come out of executive session. It was seconded by Dr. Hansen. Motion carried.

APPLICATIONS

Dr. Hansen made a motion to approve the following for licensure:

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| ROBERT CAMPBELL | CHIA-2156 |
| TIMOTHY GOULART | CHIA-2184 |
| LATOIA MCGOWAN | CHIA-2161 |
| STEPHEN BILLINGS | CHIA-2188 |

It was seconded by Ms. Hart. Motion carried.

Dr. Hansen made a motion to approve the following pending passage of Part II of the National Boards:

901185870

It was seconded by Ms. Hart. Motion carried.

Dr. Gaertner-Ewing made a motion to rescind the previous motion. It was seconded by Ms. Hart. Motion carried.

Dr. Hansen made a motion to approve the following pending receipt of proof of passage of Part II of the National Boards:

901185870

It was seconded by Dr. Hansen. Motion carried.

ADJOURNMENT

Dr. Gaertner-Ewing made a motion to adjourn the meeting at 10:11 AM MDT. It was seconded by Dr. Hansen. Motion carried.

Craig J Manning, D.C., Chair